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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/585,877	07/11/2006	Dieter Urban	293249US0PCT	7723	
22850 7590 08/21/2009 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET			EXAMINER		
			SASTRI, SATYA B		
ALEXANDRIA	ALEXANDRIA, VA 22314		ART UNIT	PAPER NUMBER	
			1796		
			NOTIFICATION DATE	DELIVERY MODE	
			08/21/2009	ELECTRONIC	

## Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com oblonpat@oblon.com jgardner@oblon.com

	Application No.	Applicant(s)			
	10/585,877	URBAN ET AL.			
Office Action Summary	Examiner	Art Unit			
	SATYA B. SASTRI	1796			
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address			
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period w  - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 16(a). In no event, however, may a reply be tim ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	l. ely filed the mailing date of this communication. (35 U.S.C. § 133).			
Status					
1)⊠ Responsive to communication(s) filed on <u>01 Ju</u>	lv 2009				
·= · · · · · · · · · · · · · · · · · ·	action is non-final.				
3) Since this application is in condition for allowan		secution as to the merits is			
closed in accordance with the practice under E					
Disposition of Claims					
4)⊠ Claim(s) <u>1-16</u> is/are pending in the application.					
4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.					
6) Claim(s) is/are rejected.					
7) Claim(s) is/are objected to.					
8) Claim(s) <u>1-16</u> are subject to restriction and/or e	election requirement.				
Application Papers	·				
9) The specification is objected to by the Examine	•				
10) The drawing(s) filed on is/are: a) acce		- - - - -			
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11) The oath or declaration is objected to by the Ex		, ,			
Priority under 35 U.S.C. § 119	animor. Note the attached Cines	7.00.001 01 1011111 10 102.			
<u> </u>		(1) (5)			
12) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a)	-(a) or (t).			
a) ☐ All b) ☐ Some * c) ☐ None of:	. In a constitution of				
1. Certified copies of the priority documents		N			
2. Certified copies of the priority documents					
3. Copies of the certified copies of the prior	•	d in this National Stage			
application from the International Bureau (PCT Rule 17.2(a)).					
* See the attached detailed Office action for a list of	or the certified copies not receive	a.			
Attachment(s)					
1) Notice of References Cited (PTO-892)	4) Interview Summary				
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Da 5) Notice of Informal P				
3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	6) Other:	ποτι πρριισαίστ			

Application/Control Number: 10/585,877 Page 2

Art Unit: 1796

## Restriction Requirement

1. Applicant's response to restriction requirement in the communication filed on 7/1/09 is acknowledged. Upon further consideration, claims are grouped differently than previously presented and therefore, a new restriction requirement is presented herein.

2. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claims 1-9, drawn to a dispersion or solution of a polymer having 3,4-dihydroxyphenyl group,

Group II, claims 10-13, drawn to a method of using the dispersion of a polymer having 3,4-dihydroxyphenyl group,

Group III, claims 14-16, drawn to a specific free radically polymerizable monomer having 3,4-dihydroxyphenyl group.

3. The inventions listed as Groups I, II and III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical feature for the following reason: The technical feature that is common to Groups I to III is 3,4-dihydroxyphenyl group. This feature is taught by the prior art of Pacetti et al. (US 7,563,454 B1). Specifically, attention is drawn to working example 4 therein

Application/Control Number: 10/585,877 Page 3

Art Unit: 1796

that discloses an ethylenically unsaturated monomer containing 3,4-3dihydroxyphenyl group and

a polymer comprising the same. Since the common technical feature of claims belonging to

Groups I to III fails to define a contribution over US 7,563,454 B1, the common technical feature

does not amount to a special technical feature and hence there is lack of unity between the cited

groups.

4. Applicant is advised that the reply to this requirement to be complete must include (i) an

election of a species or invention to be examined even if the requirement is traversed (37 CFR

1.143) and (ii) identification of the claims encompassing the elected invention and species.

The election of an invention may be made with or without traverse. To reserve a right to

petition, the election must be made with traverse. If the reply does not distinctly and specifically

point out the supposed errors in the restriction requirement, the election shall be treated as an

election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably

distinct, applicant should submit evidence to identify such evidence now of record showing the

inventions to be obvious variants or clearly submit on the record that this is the case. In either

instance, if the examiner finds one or more inventions/species unpatentable over the prior art, the

evidence or admission may be used in a rejection under of 35 U.S.C. 103 (a) of the other

invention.

Response to Arguments

Application/Control Number: 10/585,877 Page 4

Art Unit: 1796

5. Applicant's arguments have been fully considered but are moot in view of new restriction

requirement presented herein.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SATYA B. SASTRI whose telephone number is (571)272-1112.

The examiner can normally be reached on Mon, Thur, Fri. 7am-5.30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Wu can be reached on (571) 272 1112. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Satya B Sastri/

Examiner, Art Unit 1796